

****NOT FOR PRINTED PUBLICATION ****

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

BARRY MACLEOD,

Plaintiff,

V.

MICHAEL CULVER and HULL
TRUCKING, INC.

Defendant.

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CASE NO. 4:15cv239

Chief Judge Clark/Judge Craven

ORDER OF DISMISSAL

Before the court is the parties' Agreed Motion to Dismiss or Alternatively Consolidate [Doc. #25]. Having considered the agreed motion and exhibits thereto, the Court's record, the pleadings on file, and the pleadings on file *Barry MacLeod v. Michael Culver and Hull Trucking, Inc.*, Civil Action No. 4:14-cv-00550-RAS, the Court is of the opinion the motion to dismiss should be **GRANTED**. Accordingly, it is

ORDERED that the Agreed Motion to Dismiss [Doc. #25-1] is **GRANTED**. It is further

ORDERED that this second-filed lawsuit brought by Plaintiff Barry MacLeod against Defendants Michael Culver and Hull Trucking, Inc. is dismissed without prejudice to Plaintiff Barry MacLeod pursuing his first-filed case styled *Barry MacLeod v. Michael Culver and Hull Trucking, Inc.*, in the United States District Court for the Eastern District of Texas, Civil Action No. 4:14-cv-00550-RAS.

The Clerk is directed to **CLOSE** this civil action.

So **ORDERED** and **SIGNED** this **18** day of **May, 2015**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge